

Date/Time Stamp:

Employee Post-Travel Disclosure of Travel Expenses

SECRETARY OF THE SENATE

17 OCT 10 PM 4:35

Post-Travel Filing Instructions: Complete this form within 30 days of returning from travel. Submit all forms to the Office of Public Records in 232 Hart Building.

In compliance with Rule 35.2(a) and (c), I make the following disclosures with respect to travel expenses that have been or will be reimbursed/paid for me. I also certify that I have attached:

- ☒ The original Employee Pre-Travel Authorization (Form RE-1), AND
☒ A copy of the Private Sponsor Travel Certification Form with all attachments (itinerary, invitee list, etc.)

Private Sponsor(s) (list all): JEWISH FEDERATION OF CLEVELAND

Travel date(s): 7/15/17 - 7/23/17

Name of accompanying family member (if any): n/a

Relationship to Traveler: ☐ Spouse ☐ Child

IF THE COST OF LODGING DID NOT INCREASE DUE TO THE ACCOMPANYING SPOUSE OR DEPENDENT CHILD, ONLY INCLUDE LODGING COSTS IN EMPLOYEE EXPENSES. (Attach additional pages if necessary.)

Expenses for Employee:

	Transportation Expenses	Lodging Expenses	Meal Expenses	Other Expenses (Amount & Description)
<input checked="" type="checkbox"/> Good Faith Estimate <input type="checkbox"/> Actual Amount	Approx. \$1800-2100 for AIRFARE \$40 BUS	Approx. \$780 For the WEEK	Approx. \$650.	Approx. \$500 per person, misc. EXPENSES

Expenses for Accompanying Spouse or Dependent Child (if applicable):

	Transportation Expenses	Lodging Expenses	Meal Expenses	Other Expenses (Amount & Description)
<input type="checkbox"/> Good Faith Estimate <input type="checkbox"/> Actual Amount				

Provide a description of all meetings and events attended. See Senate Rule 35.2(c)(6). (Attach additional pages if necessary.):

SEE ATTACHED Agenda

9-13-17
(Date)

CARYN B CANDISKY
(Printed name of traveler)

Caryn B Candisky
(Signature of traveler)

TO BE COMPLETED BY SUPERVISING MEMBER/OFFICER:

I have made a determination that the expenses set out above in connections with travel described in the Employee Pre-Travel Authorization form, are necessary transportation, lodging, and related expenses as defined in Rule 35.

(Date)

(Signature of Supervising Senator/Officer)

SECRET
Date/Time Stamp:
17 OCT 10 PM 4:36

— — — — —

Caryn Candisky

Office of U.S. Senator Rob Portman

Jewish Federation of Cleveland

July 15 - July 23, 2017

Note: If you plan to extend the trip for any reason you must notify the Committee.

Israel

Explain how this trip is specifically connected to the traveler's official or representational duties:

As District Director for Senator Portman, I directly and regularly interact with Ohio's Jewish Community, the Jewish Federation of Cleveland and their related organizations and agencies in order to identify cultural and policy opportunities to serve our constituents. This trip will help me fulfill my duties and responsibilities as District Director for Senator Portman through economic development and community development opportunities, discussions and actions on how to serve at-risk and disadvantaged populations as identified through dialogues and visits; as well as reviewing expectations to create potential partnerships between Ohio and Israeli counterparts. This trip will also assist me in my outreach work to serve constituents of Ohio through the trips discussions and education on national security, homeland security, foreign relations, and trade.

n/a

☐ Spouse ☐ Child

I certify that the information contained in this form is true, complete and correct to the best of my knowledge:

6-26-17
(Date)

Caryn B. Canalsky
(Signature of Employee)

TO BE COMPLETED BY SUPERVISING SENATOR/OFFICER (President of the Senate, Secretary of the Senate, Sergeant at Arms, Secretary for the Majority, Secretary for the Minority, and Chaplain):

Office of U.S. Senator Rob Portman

Caryn Candisky

an employee under my direct supervision, to accept payment or reimbursement for necessary transportation, lodging, and related expenses for travel to the event described above. I have determined that this travel is in connection with his or her duties as a Senate employee or an officeholder, and will not create the appearance that he or she is using public office for private gain.

I have also determined that the attendance of the employee's spouse or child is appropriate to assist in the representation of the Senate. (signify "yes" by checking box) ☐

(Date)

(Signature of Supervising Senator/Officer)

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PRIVATE SPONSOR TRAVEL CERTIFICATION FORM

This form must be completed by any private entity offering to provide travel or reimbursement for travel to Senate Members, officers, or employees (Senate Rule 35, clause 2). Each sponsor of a fact-finding trip must sign the completed form. The trip sponsor(s) must provide a copy of the completed form to each invited Senate traveler, who will then forward it to the Ethics Committee with any other required materials. The trip sponsor(s) should **NOT** submit the form directly to the Ethics Committee. Please consult the accompanying instructions for more detailed definitions and other key information.

The Senate Member, officer, or employee **MUST** also provide a copy of this form, along with the appropriate travel authorization and reimbursement form, to the Office of Public Records (OPR), Room 232 of the Hart Building, within thirty (30) days after the travel is completed.

-
1. Sponsor(s) of the trip (please list all sponsors): Jewish Federation of Cleveland
 2. Description of the trip: A one week trip to Israel with Cleveland civic leaders and Jewish Federation of Cleveland volunteers and staff.
 3. Dates of travel: The mission dates are July 16-22, 2017. Travel to arrive on time requires 7/15-7/23
 4. Place of travel: Israel
 5. Name and title of Senate invitees: Caryn Candisky
 6. I *certify* that the trip fits one of the following categories:
 - ☒ (A) The sponsor(s) are not registered lobbyists or agents of a foreign principal **and** do not retain or employ registered lobbyists or agents of a foreign principal **and** no lobbyist or agents of a foreign principal will accompany the Member, officer, or employee *at any point* throughout the trip.
 - =OR=**
 - ☐ (B) The sponsor or sponsors are not registered lobbyists or agents of a foreign principal, but retain or employ one or more registered lobbyists or agents of a foreign principal and the trip meets the requirements of Senate Rule 35.2(a)(2)(A)(i) or (ii) (*see question 9*).
 7. ☒ I *certify* that the trip will not be financed in any part by a registered lobbyist or agent of a foreign principal.

=AND=

☒ I *certify* that the sponsor or sponsors will not accept funds or in-kind contributions earmarked directly or indirectly for the purpose of financing this specific trip from a registered lobbyist or agent of a foreign principal or from a private entity that retains or employs one or more registered lobbyists or agents of a foreign principal.
 8. I *certify* that:
 - ☒ The trip will not in any part be planned, organized, requested, or arranged by a registered lobbyist or agent of a foreign principal except for *de minimis* lobbyist involvement.
 - =AND=**
 - ☒ The traveler will not be accompanied on the trip by a registered lobbyist or agent of a foreign principal except as provided for by Committee regulations relating to lobbyist accompaniment (*see question 9*).

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9. **USE ONLY IF YOU CHECKED QUESTION 6(B)**

I *certify* that if the sponsor or sponsors retain or employ one or more registered lobbyists or agents of a foreign principal, one of the following scenarios applies:

- ☐ (A) The trip is for attendance or participation in a one-day event (exclusive of travel time and one overnight stay) and no registered lobbyists or agents of a foreign principal will accompany the Member, officer, or employee *on any segment* of the trip.

OR

- ☐ (B) The trip is for attendance or participation in a one-day event (exclusive of travel time and two overnight stays) and no registered lobbyists or agents of a foreign principal will accompany the Member, officer, or employee *on any segment* of the trip (*see questions 6 and 10*).

OR

- ☐ (C) The trip is being sponsored only by an organization or organizations designated under § 501(c)(3) of the Internal Revenue Code of 1986 and no registered lobbyists or agents of a foreign principal will accompany the Member, officer, or employee *at any point* throughout the trip.

10. **USE ONLY IF YOU CHECKED QUESTION 9(B)**

If the trip includes two overnight stays, please explain why the second night is practically required for Senate invitees to participate in the travel:

11. ☒ An itinerary for the trip is attached to this form. I *certify* that the attached itinerary is a detailed (hour-by-hour), complete, and final itinerary for the trip.

12. Briefly describe the role of each sponsor in organizing and conducting the trip:

The Jewish Federation of Cleveland is organizing and staffing the trip.

13. Briefly describe the stated mission of each sponsor and how the purpose of the trip relates to that mission:

Part of the Jewish Federation's mission is to support a strong and secure Israel. To that end, the

Federation periodically takes groups of civic, government, or faith leaders to Israel for educational

purposes and to experience Israel first-hand.

14. Briefly describe each sponsor's prior history of sponsoring congressional trips:

The Federation has not previously sponsored Congressional trips, although the Federation has partnered

and participated on previous trips with members of Congress in attendance.

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15. Briefly describe the educational activities performed by each sponsor (other than sponsoring congressional trips):

With each mission to Israel, the Jewish Federation of Cleveland provides educational events and opportunities for participants both before and after the trip.

16. Total Expenses for Each Participant:

	Transportation Expenses	Lodging Expenses	Meal Expenses	Other Expenses
<input checked="" type="checkbox"/> Good Faith estimate	Approximately \$1,800-\$2,100 for airfare, \$40 pro rated cost total for bus for the week.	Approximately \$780 in lodging costs for the week.	Approximately \$650 in meal expenses for the week.	Approximately \$500 per person in other miscellaneous expenses
<input type="checkbox"/> Actual Amounts				

17. State whether a) the trip involves an event that is arranged or organized *without regard* to congressional participation or b) the trip involves an event that is arranged or organized *specifically with regard* to congressional participation:

The trip involves an event that is arranged or organized without regard to congressional participation.

18. Reason for selecting the location of the event or trip

As stated above, educating the community about Israel and supporting a strong and secure Israel is part of the mission of the Jewish Federation of Cleveland.

19. Name and location of hotel or other lodging facility:

Dan Panorama Jerusalem, Nir David Kibbutz, Crown Plaza Tel Aviv

20. Reason(s) for selecting hotel or other lodging facility:

We selected these facilities based on a combination of group size, comfort, and budget.

21. Describe how the daily expenses for lodging, meals, and other expenses provided to trip participants compares to the maximum per diem rates for official Federal Government travel:

Compared to the Federal per diem rates as of April 1, 2017, the daily expenses for lodging, meals, and other expenses provided to trip participants falls well below or just below per diem rates.

22. Describe the type and class of transportation being provided. Indicate whether coach, business-class or first class transportation will be provided. If first-class fare is being provided, please explain why first-class travel is necessary:

Transportation from the United States to Israel is not being provided so the answer to this is

"not applicable."

23. ☒ I represent that the travel expenses that will be paid for or reimbursed to Senate invitees do not include expenditures for recreational activities, alcohol, or entertainment (other than entertainment provided to all attendees as an integral part of the event, as permissible under Senate Rule 35).

24. List any entertainment that will be provided to, paid for, or reimbursed to Senate invitees and explain why the entertainment is an integral part of the event:

The trip itinerary does not include any scheduled entertainment. Participants will have some free time during the mission to experience entertainment at their own cost.

25. I hereby *certify* that the information contained herein is true, complete and correct. (You must include the completed signature block below for each travel sponsor.):

Signature of Travel Sponsor: Jessica Cohen

Name and Title: Jessica Cohen, Managing Director Community Relations

Name of Organization: Jewish Federation of Cleveland

Address: 25701 Science Park Drive, Cleveland, OH 44122

Telephone Number: 216-593-2782

Fax Number:

E-mail Address: jcohen@jcfccleve.org

Instructions

(Do not file the Instructions with OPR)

General Instructions

- The Senate Select Committee on Ethics ("Ethics Committee") has developed guidelines for evaluating privately-sponsored trips and for judging whether trip expenses are reasonable. Trip sponsors should consult the *Senate Select Committee on Ethics' Regulations and Guidelines for Privately-Sponsored Travel*, including the *Glossary of Terms*, prior to filling out the *Private Sponsor Travel Certification Form* and contact the Ethics Committee at (202) 224-2981 with any additional questions. The Ethics Committee will make the final determination as to whether the expenses incurred during a privately-sponsored trip are reasonable.
- If there are multiple sponsors, they should jointly complete one *Private Sponsor Travel Certification Form* for the trip. Each travel sponsor should complete the signature block.
- When evaluating a trip proposal and judging the reasonableness of expenses, the Ethics Committee will consider the following factors:
 - a. the stated mission of the organization sponsoring the trip;
 - b. the organization's prior history of sponsoring congressional trips, if any;
 - c. other educational activities performed by the organization besides sponsoring congressional trips;
 - d. whether any trips previously sponsored by the organization led to an investigation by the Select Committee on Ethics;
 - e. whether the length of the trip and the itinerary is consistent with the official purpose of the trip;
 - f. whether there is an adequate connection between a trip and official duties;
 - g. the reasonableness of the total amount spent by a sponsor of the trip;
 - h. whether there is a direct and immediate relationship between a source of funding and an event;
 - i. the maximum *per diem* rates for official Federal Government travel published annually by the General Services Administration, the Department of State, and the Department of Defense;
 - j. whether travel to a location or event is arranged or organized without regard to congressional participation, or whether it is specifically organized for Congressional staff; and
 - k. any other factor deemed relevant by the Select Committee on Ethics.

Consult the *Senate Select Committee on Ethics' Regulations and Guidelines for Privately-Sponsored Travel*, including the *Glossary of Terms*, for further discussion of these factors.

- Responses to each question should be brief, consistent with the requirement to provide all relevant information. Attach additional pages, as necessary.
- To allow sufficient time for the Ethics Committee to review requests for privately sponsored travel, the participating Senate Members, officers, and employees must submit the completed form to the Ethics Committee at least **thirty (30) days** before the date of the proposed trip.

Filling out the Private Sponsor Travel Certification Form (Question by Question Instructions)

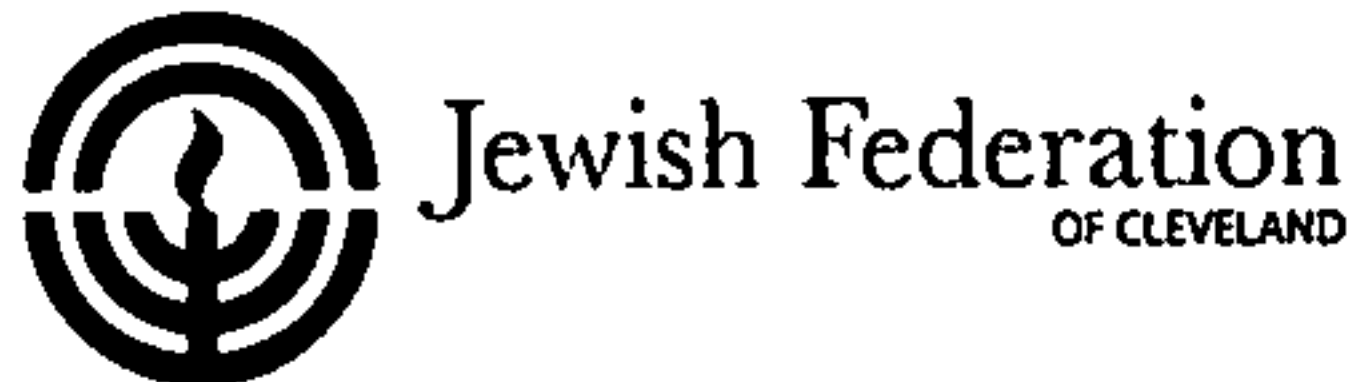
1. *Sponsor(s) of the trip (please list all sponsors):* A sponsor of a trip is any person, organization, or other entity contributing funds or in-kind support for the trip. A sponsor must have a significant role in organizing and conducting a trip and must have a specific organizational interest in the purpose of the trip. If Members, officers, and employees are participating in an event or fact-finding trip in connection with their duties, they may accept necessary travel expenses only from the event or trip sponsor.
2. *Description of the trip:* Provide a brief statement about the purpose of the trip.
3. *Dates of travel:* Provide the dates of departure and return.
4. *Place of travel:* Provide the destination(s) for the trip.
5. *Name and titles of Senate invitees:* Provide the name and title for each Senate Member, officer, or employee who is invited on the trip.
6. *I certify that the trip fits one of the following categories:* A Senate Member, officer, or employee may accept privately sponsored travel only from sponsor(s) of a trip that fits one of the categories listed. Consult the instructions for question 9 to determine if the trip meets the lobbyist accompaniment standard.
7. *Financing of the trip, earmarked funds and in-kind contributions:* Senate Members, officers, and staff may not accept privately-sponsored travel funded by a registered lobbyist or foreign agent. Members, officers, and staff may not participate in privately-sponsored travel when the sponsors accept funds or in-kind contributions earmarked for this particular trip from a registered lobbyist or agent of a foreign principal or from a private entity that retains or employs one or more registered lobbyists or agents of a foreign principal. Earmarking includes any direction, agreement, or suggestion -- formal or informal -- to use donated funds, goods, services, or other in-kind contributions for a particular trip or purpose.
8. *Lobbyist/agent of a foreign principal involvement:* Senate invitees may not participate in trips planned, organized, arranged, or requested by a lobbyist or foreign agent in more than a *de minimis* way, which means negligible or inconsequential. It would be considered inconsequential for one or more lobbyists or foreign agents to serve on the board of an organization that is sponsoring travel, as long as the lobbyists or foreign agents are not involved in the trip. It is also permissible for a lobbyist to respond to a trip sponsor's request to identify Senate invitees with interest in a particular issue relevant to a planned trip. However, a lobbyist is not allowed to solicit or initiate communication with a trip sponsor, have control over which Senate employees are invited on a trip, extend or forward an invitation to a participant, determine the trip itinerary, or be mentioned in the invitation.

Example: A trip sponsor that is a § 501(c)(3) non-profit organization asks a lobbyist to recommend staffers who might be most interested in joining a trip to the U.S.-Mexican border. If a lobbyist knows a staffer who has a particular interest in the DEA's activities at the border, then providing that information (in light of the trip sponsor's request), in and of itself, would not exceed a *de minimis* level of participation, and would be permitted. However, it would not be permissible for the lobbyist to initiate contact with the trip sponsor to suggest that a particular Senate staffer be invited or forward an invitation to that staffer. Consult the instructions for question 9 to determine if the trip meets the lobbyist accompaniment standards.

9. *Lobbyist/agent of a foreign principal accompaniment standards:* Senate Members, officers, and staff may not accept privately-sponsored travel from an entity that retains or employs one or more federally-registered lobbyists or foreign agents unless one of the listed scenarios applies. *At any segment of the trip* means lobbyists may not accompany the Senate invitee for parts of the travel to and from the event (not at the event itself or the location being visited). *At any point throughout the trip* means lobbyists may not accompany Senate invitees at any point to and from the event, at the event itself, or at the location being visited, other than in a *de minimis* way. This is a broader prohibition than the *at any segment of a trip* standard.

"De minimis" exception: Both lobbyist/agent of a foreign principal "accompaniment" prohibitions include a *de minimis* exemption. *De minimis* means negligible or inconsequential. The mere coincidental presence of a lobbyist or foreign agent at an event would likely be considered *de minimis*. But in making the final determination, the Ethics Committee will consider the totality of the circumstances, including the amount of time lobbyists or foreign agents are present at the event; the amount of direct contact they have with Senate invitees; and the amount of control a trip sponsor has over their presence or contact with Senate guests. For example, if the trip includes attendance at an event considered widely-attended under Rule 35(1)(c)(18), the trip sponsor is unlikely to know all attendees present. Thus, it is likely to be permissible for such widely-attended events to include both a Senate guest and a lobbyist. Similarly, an organization cannot possibly know all the other passengers taking the same flight or other common carrier to a given destination. Accordingly, the sponsor does not need to certify that it knows for certain that no lobbyist or foreign agent will be on such a common carrier.

10. *If travel includes two overnight stays:* The Ethics Committee may approve two overnight stays for trips sponsored by an entity that employs or retains one or more lobbyists or foreign agents under certain conditions. Consult Committee regulations for additional information.
11. *An itinerary for the trip is attached to this form:* The Ethics Committee will not review the trip request without a detailed (hour-by-hour), complete and final itinerary for the trip. As a general matter, the Ethics Committee advises that each travel day contain a minimum of 6 hours of officially-related activities for Senate invitees.
12. *Briefly describe the role of each sponsor in organizing and conducting the trip:* A sponsor must have a significant role in organizing and conducting a trip and must have a specific organizational interest in the purpose of the trip.
13. *Briefly describe the stated mission of each sponsor and how the purpose of the trip relates to that mission:* Provide a brief description of the stated mission of each sponsor and how it relates to the trip.
14. *Briefly describe each sponsor's prior history of sponsoring congressional trips:* Provide a brief discussion of the sponsor's history of sponsoring congressional travel. It is not necessary to list every trip.
15. *Briefly describe the educational activities performed by each sponsor (other than sponsoring congressional trips):* Provide a brief description of the educational activities performed by each sponsor. It is not necessary to list every individual activity; the description may be by kind or category of educational activity involved.
16. *Total expenses for each participant:* Indicate whether the figures provided are actual amounts or good faith estimates by checking the appropriate box. All trip expenses should be included. Expenses other than those for transportation, lodging, and meals must be individually listed and specified. Attach additional pages as necessary.



Jewish Federation of Cleveland
Thomas and Joann Adler Civic Leaders Israel Mission – July 16 – July 23, 2017

Early Arrivals already in Israel

Participants arrive at Ben Gurion Airport

2:00-4:00 PM - Walking tour of Jaffa - Tel Aviv

Return to the hotel to freshen up

6:30 PM – 9:00 PM Opening Dinner and Speaker

Opening dinner in Liliyot restaurant a former Dualis Restaurant (Like Edwins) which showcases the modern Israeli kosher kitchen at its best, using the highest quality ingredients: choice meat, fresh fish and vegetables, and fine olive oil.

Opening Speaker – Share the History of Israel and the Current issues facing the country at Lilliyot

Overnight/ Crown Plaza Tel Aviv

Breakfast opens at 6:30 am

8:15 AM Depart Hotel and Tour Rabin Center

11 AM Meeting and Lunch in the Area – visit a Start UP and Lunch in the area

Tour of Desalination Plant

4:00PM Arrival to Kiriyat Gat briefing and early dinner – PACT program (Parents and Children Together)

6:30 PM PACT Anniversary Celebration

9:00 PM Drive back to Tel Aviv

Overnight/ Crown Plaza Tel Aviv

Breakfast opens at 6:30 am

7:45 AM – Check out of hotel and Depart Hotel

9:00 AM - Preschool Tour in Tira with Dalia Fadila, Director, Al Qasemi College of Science and Technology

11:30 AM - Visit and lunch with soldiers at Havat Hashomer

2:00 PM - Drive to Tiberias – Visit Capernaum and The Mount of Beatitudes

5:00 PM – Drive to Beit Shean

6:00 PM – Arrive Beit Shean – Followed by Dinner and Tour of the Archeological Ruins

Overnight/ Kibbutz Nir David

Breakfast opens at 6:30 am

9am – Panel – Contextualizing the periphery of Israel with 4 speakers TBD



Jewish Federation
OF CLEVELAND



The Jewish Federations[®]
OF NORTH AMERICA
Israel Office

Jewish Federation of Cleveland

Thomas and Joann Adler Civic Leaders Israel Mission – July 16 – July 23, 2017

10am – Meet with Beit Shean counterparts – municipality employees, non-profit leadership, civic leaders and have targeted discussions on best practices and collaboration opportunities

11am – Visit to the new Beit Shean Train Station

12pm – Lunch at the Idan Technology Center - Speaker: Mayor of Emek Mayanot (Valley of the Springs) and learn about cross-border initiatives

1pm - Meet with Youth Futures mentors and children in small groups

2:30pm-5pm – Enjoy Kibbutz and freshen up for dinner

5:30pm – 9pm Dinner at the Kurdish event center

Overnight/ Kibbutz Nir David

Thursday, July 20 – COMPLEXITY OF JERUSALEM

Breakfast- Served starting at 6:30am

8:00 AM – Depart for Jerusalem

10:00 AM – Tour Old City and the Church of the Holy Sepulchre

1:00 PM – Lunch and Speaker from the Institute for Policy and Research

3:00 PM - Take a ride on the Jerusalem light rail, starting in the Pisgat Ze'ev neighborhood, through the Arab villages of Shuafat & Beit Hanina, then through the Ultra-orthodox area of Ramot Eshkol and ending by the Old City. Gain a first-hand and authentic look at the mosaic and diversity of Jerusalem's population. Discuss the differences between East and West Jerusalem, and the ongoing struggles between the different communities.

5:30 PM – Check into Hotel - free time and dinner on own – explore the area and shop

9:00 PM – Meet at Hotel for Western Wall Tunnel Tours

Overnight/ Dan Panorama Hotel

Friday, July 21

Breakfast in Main dining room starting at 6:30 AM

8:30-9:30AM – Breakfast briefing with MK Nachman Shai

10:15AM- Tour Yad Vashem

1:00 PM – Grab Falafel Lunch

2:00 PM –Seam Line Tour by guide

4:00 PM – Prepare for Shabbat

6:00 PM – Western Wall and Shabbat Dinner in Hotel

Overnight/ Dan Panorama Hotel

Saturday, July 22

Breakfast in Main dining room starting at 8am

Optional programming for those who do not observe Shabbat



Jewish Federation
OF CLEVELAND



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OF NORTH AMERICA
Israel Office

Jewish Federation of Cleveland

Thomas and Joann Adler Civic Leaders Israel Mission – July 16 – July 23, 2017

Early Departure for Masada, lunch and Dead Sea

5:00 PM Reflection Session and Light Dinner

8:00 PM Depart airport for the United States for those leaving

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United States Senate

SELECT COMMITTEE ON ETHICS

June 30, 2017

Caryn Candisky
Office of Senator Rob Portman
United States Senate
Washington, DC 20510

Dear Ms. Candisky:

This responds to your recent correspondence concerning an invitation you received to travel on the Thomas and Joann Adler Civic Leaders Israel Mission, to Israel on July 15-23, 2017, sponsored by the Jewish Federation of Cleveland. The Jewish Federation of Cleveland certified to the Select Committee on Ethics (the Committee) that it will pay the *necessary expenses*¹ related to the travel and that it is neither a lobbyist, nor lobbying firm, nor agent of a foreign principal, and it is not otherwise acting as a representative or agent of a foreign government. The Jewish Federation of Cleveland represents that although it retains or employs one or more registered lobbyists, it is an organization designated under § 501(c)(3) of the Internal Revenue Code², and that no registered lobbyist will accompany you at *any point throughout your trip*.³

Based on information and materials available to the Committee, and assuming the **actual** travel and travel-related expenses conform to the information and materials you provided, it appears that the proposed payment or reimbursement of necessary expenses for this trip **may be accepted** under relevant Senate Rules and the Committee's *Regulations and Guidelines for Privately-Sponsored Travel*, so long as at the time of the payment or reimbursement, the Jewish Federation of Cleveland is neither a registered lobbyist nor lobbying firm under the Lobbying Disclosure Act of 1995, nor an agent of a foreign principal under the Foreign Agents Registration Act (and is not otherwise acting as a representative or agent of a foreign government), and provided the travel and all required documents are disclosed to the Secretary of the Senate in accordance with the provisions of Senate Rules 34 and 35.

Under Senate Rule 35, Senate staff must receive advance authorization signed by the Member or officer under whose direct supervision the individual works in order to accept payment or reimbursement for necessary expenses related to fact-finding travel. Further, such

¹ The term "necessary expenses" has a specific definition. See *Select Committee on Ethics' Regulations and Guidelines for Privately-Sponsored Travel – Glossary of Terms* at 8.

² 26 U.S.C. § 501(c)(3).

³ The term "any point throughout your trip" has a specific definition. See *Select Committee on Ethics' Regulations and Guidelines for Privately-Sponsored Travel – Glossary of Terms* at 2.

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authorization and expenses must be disclosed to the Secretary of the Senate by filing the completed *Employee Pre-Travel Authorization* and the *Employee Post-Travel Disclosure of Travel Expenses* (Form RE-1 and Form RE-2), along with a copy of the *Private Sponsor Travel Certification Form*, and all relevant attachments (e.g., the private sponsor's invitation and itinerary) **within 30 days of the conclusion of Privately-Sponsored Travel.**

The Committee has determined that § 501(c)(3) non-profit organizations that are classified as private foundations, as opposed to public charities, may not pay for transportation from the United States to a foreign country.⁴ However, the Jewish Federation of Cleveland represented to the Committee that it is a § 501(c)(3) public charity, as opposed to a private foundation, pursuant to the Internal Revenue Code.⁵

Please be advised that the United States Constitution prohibits the acceptance of any gift, including a meal, from a foreign government without the consent of Congress. In the Foreign Gifts and Decorations Act (FGDA), Congress consented to the acceptance by federal government officials of: (1) gifts of minimal value and (2) travel or the expenses for travel taking place entirely outside the United States, from a foreign government (which includes those acting as a representative or agent of a foreign government).⁶ The Senate has defined minimal value as \$100 or less. Further, pursuant to FGDA, there are certain reporting and procedural requirements that are imposed upon Members, officers, and employees who accept gifts from a foreign government. Please review the Committee's "Dear Colleague" letter of January 9, 2015 setting forth the items to be included in filing that report.

Finally, Senate Rule 34 requires a reporting individual,⁷ on his or her Financial Disclosure Report, to make an annual disclosure of the receipt of payments or reimbursements under Senate Rule 35 from a private sponsor for officially-related travel expenses where, in the aggregate, travel expenses exceed \$390 from that sponsor during a calendar year. However, if a Member, officer, or employee properly reports the receipt of necessary expenses for such travel to the Secretary of the Senate within 30 days of the travel, as discussed above, the travel expenses need not be disclosed a second time on their Financial Disclosure Report.

⁴ See 26 U.S.C. § 4941 et seq. Section 501(c)(3) of the Internal Revenue Code broadly defines non-profit, charitable, tax-exempt organizations. These § 501(c)(3) organizations are then further defined or designated as "public charities" and "private foundations."

⁵ 26 U.S.C. § 501(c)(3).


⁶ 5 U.S.C. § 7342.

⁷ A reporting individual is someone whose salary equals or exceeds 120% of the basic rate of pay for GS-15 (\$124,406 for CY 2017) or is a political fund designee and is required to file Financial Disclosure Reports.

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If you have any additional questions, please do not hesitate to contact the Committee.

Sincerely,


Deborah Sue Mayer
Chief Counsel and Staff Director

Enclosure: Travel Checklist

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